RULES AND ORDERS UNDER ACT V OF 1861.

POLICE.

APPOINTING EVERY DEPUTY SUPERINTENDENT OF POLICE TO PERFORM SUCH OF THE DUTIES OF A DISTRICT SUPERINTENDENT OF POLICE AS THE LATTER MAY AUTHORIZE HIM TO PERFORM ON HIS BEHALF.

Notn. No. 650, Judicial, dated 5th February 1908, B. G. G., 1908, Pt. 1, p. 144.

In exercise of the power conferred by section 1 of the Police Act, 1861 (V of 1861), the Governor in Council is pleased to appoint every Deputy Superintendent of Police in the Police districts subject to the control of the said Governor in Council to perform such of the duties of a District Superintendent of Police under the said Act as the District Superintendent of Police, to whom he is subordinate, may from time to time authorize him to perform on his behalf.

RULES FOR THE GUIDANCE OF THE POLICE ON THE B. B. & C. I. AND R. M. RAILWAYS IN THE MATTER OF ARREST AND PROSECUTION.

Notn. No. 5648, Judicial, dated 6th September 1902, B. G. G., 1902, Pt. 1, p. 1591.

Rules framed under Section 46 (2) (*a*) of Police Act, V of 1861, for the guidance of the Police on the B. B. & C. I. and R. M. Railways, in the matter of arrest and prosecution under Sections 101 and 131 of the Indian Railways Act (IX of 1890) :—

Arrest.

The exercise, by the Railway Police, of the power of arrest without warrant given them in Section 131 of the Indian Railways Act (IX of 1890), for offences under Section 101 of the same Act, is discretionary. It should be exercised only in extreme cases, as for instance, when—

(*a*) there has been loss of life or serious injury to person ; or

(*b*) a person is caught in the commission of a grave offence ; and

(*c*) the accused is likely to abscond or to continue to endanger the safety of the public.

When arrest is made without warrant, immediate intimation of such arrest must be given to the head of the Railway employee's Department.

2. Under ordinary circumstances, no immediate arrest is necessary. A warrant should be applied for in the usual manner, the police maintaining a watch over the movements of the accused, where this precaution is deemed necessary.

3. When arrest is effected by warrant the warrant should, in the absence of any direction to the contrary in the warrant under Section 77 of the Code of Criminal Procedure, 1898, be executed by a police officer of rank superior to that of a Head Constable, First Grade. The officer

entrusted with the execution of the warrant, will execute it judiciously, and, if the arrest is likely to cause risk or inconvenience to the public, make arrangements to prevent the escape of the accused and apply to the head of his Department to have him relieved, arrest being deferred till he is so relieved.

Prosecution.

4. No prosecution for an offence under Section 101 of the Indian Railways Act (IX of 1890) shall be instituted by a police officer without the sanction of the Superintendent of Railway Police, which shall be communicated immediately it is accorded to the Agent or the Manager of the Railway.

RULES AND ORDERS UNDER ACT XVI OF 1861.

STAGE CARRIAGES.

RULES FOR THE REGULATION OF STAGE CARRIAGES PLYING FOR HIRE BETWEEN TATTA AND JUNGSHAHI.

Commissioner, Notn. No. 789, dated 9th September 1901, S. O. G., 1901, Pt. I, p. 562.

In exercise of the powers of a Local Government conferred upon him under sections 20-A and 23 of the Stage Carriages Act XVI of 1861 by Government Notification No. 6639, dated 1st October 1900, the Commissioner in Sind is pleased to issue the following rules for the regulation of stage carriages plying for hire between Tatta and Jungshahi :—

Rules.

1. Licenses under section 2 of the Act shall be issued by the Sub-Divisional Magistrate, and for each such license the proprietor of the stage carriage shall pay a fee of Rs. 2. Licenses for six months may be issued on payment of half the above rates. Licenses may be granted for six months or for one year, provided that all licenses will require renewal before the 31st December each year for a further period.

2. Such licenses shall be in the form hereto annexed (Form A).

3. A register shall be kept in which shall be entered a description of every stage carriage licensed under these rules which has been inspected and approved for use as a stage carriage.

4. Before a license is issued or renewed for any carriage under these rules, the carriage shall be produced before the Sub-Divisional Magistrate, or other officer appointed by him in this behalf, to whom shall be furnished all the information required for filling up the register and the license.

5. Every holder of a license issued under these rules shall produce or cause to be produced the carriage with horse or horses, as the case may be, for which the license is given for inspection by the Sub-Divisional Magistrate, or by an officer appointed by him in this behalf, at any time he may be called on to do so during the currency of the license, unless at the time engaged or plying for hire.